

Amanda Tainio

From: resteury@att.net
Sent: Thursday, December 07, 2006 3:41 PM
To: dsmith@libertylakewa.gov; atainio@libertylakewa.gov; mwren@libertylakewa.gov
Subject: Urban growth area

Dear Sir and Ms.: Please
add my wife and my voices to those opposed to moving the urban growth boundaries to allow wholesale development to what are now designated rural areas. Do we need to endanger the Lake with all this development? The rape of the hillside next to the 16th hole is a good example. Houses 6 feet apart, all look like they came out of the same cookie cutter-ugly! And what about the concerns of all the traffic, crime and further loads on our already stressed water and sewage? As far as I can tell the only ones in favor of moving the boundaries are the real estate people and apparently at least some of the public officials whose actions are supposed to reflect the will of the people. Please do not enlarge the urban growth area.

Please forward our comments to the Planning Commission and the City Planning Dept.
Thanks for your time.
Richard and Lois Steury

12/7/2006

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Response to Richard and Lois Steury:

Not a comment on the adequacy of the DEIS, but rather an expression of concern for various issues and a preference for a particular planning outcome

As a concerned citizen of Liberty Lake, I urge you to NOT change the current Urban Growth Boundary. I am especially concerned about the Central Valley School District's inability to serve students.

FACTS YOU NEED TO KNOW ABOUT CENTRAL VALLEY SCHOOL DISTRICT

- *Central Valley School District is currently growing between 2 and 3 percent per year.
- *At the current level of service, there is room for approximately 490 more students in grades k-12.
- *At current service levels, Central Valley School District expects to be totally full by Fall 2008.
- *Since 2003, Central Valley School District has proposed bonds three times to provide additional space. Each bond proposal failed to receive the required 60 percent approval.
- *Additional schools cannot be built by the district before fall, 2008.
- *Short of requiring year' round school, new students served in Central Valley schools beyond August 2008 will progressively dilute the instructional program (LEVEL OF SERVICE) the district has historically offered all students.
- *Central Valley School District is now routinely requesting that jurisdictions not approve new residential development to be built after August 2008, housing for senior citizens excepted. (See attached letters),

DO THESE FACTS SUPPORT THE URBAN GROWTH BOUNDARY CHANGES?
ARE THEY IN LINE WITH THE CITY OF LIBERTY LAKE'S COMPREHENSIVE
PLAN AS QUOTED BELOW?

CITY OF LIBERTY LAKE COMPREHENSIVE PLAN pg 156

Goal CF.3: "Ensure that public facilities and services support proposed development at established levels of service."

POLICIES CF.3.1 "Development shall be approved ONLY after it is determined that Public facilities and services will have the capacity to serve WITH OUT decreasing levels of service below adopted standards".

IN LIGHT OF THESE FACTS, I AGAIN URGE YOU TO NOT CHANGE THE
CURRENT URBAN GROWTH BOUNDARY. THANK YOU.

Karen Petersen
1513 Lilac Lane
Liberty Lake, Wa

2008/26



19307 EAST CATALDO
SPOKANE VALLEY, WA 99016
(509) 228-5400

October 24, 2006

Received By
City of Liberty Lake

Doug Smith, Director of Planning
City of Liberty Lake
Liberty Square Building, Suite 120
1421 N. Meadowwood Lane
Liberty Lake, WA 99019

OCT 24 2006
City Clerk/Treasurer
Initials *JTB*
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Dear Mr. Smith:

Central Valley School District expects that potentially available preliminary plat lots or vacant apartment units in developed plats, together with potential residential units and developer proposals identified as of August 2006 in the City of Liberty Lake, will produce about 2350 additional public school students.

The school district currently has capacity for about 400 additional grades K-8 students, and about 98 additional high school students. If recent districtwide rates of growth continue, we expect this space to be taken within approximately 21 months.

We understand that the City of Liberty Lake is considering seven options related to extension of its Urban Growth Area (UGA). We expect that implementation of five of these options would hasten residential development within Central Valley School District. Central Valley's ability to serve students residing in the various Urban Growth Area Extension alternatives is shown on the attached table.

Three of the alternatives envision including Central Valley School District's third high school site within the Urban Growth Area Extension. We believe that such inclusion would benefit the school district because it would make required utilities more readily available to the high school site.

Implementation of the school district's Capital Facilities Plan, starting with approval of funding for Phase 1 projects, will improve the district's ability to house public school students envisioned by extending the City's UGA. Construction of the two new schools envisioned in Phase I would enable the school district to serve 1,100 additional grades K-8 students in the east part of the school district.

We trust that this information will be helpful as the City of Liberty Lake considers Urban Growth Area Extension. Please contact me if you desire more information about Central Valley School District's comment on the various UGA Extension alternatives that are being considered.

Sincerely,

Dave Jackman
Dave Jackman
Director, Auxiliary Services

Enclosure

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City of Liberty Lake
Urban Growth Area Extension Alternatives
CENTRAL VALLEY SCHOOL DISTRICT COMMENT

Alternative	Anticipated Added		Anticipated Additional Public School Students ^a	CVSD Ability to serve expected Additional students.	Comment (See attached sheets)
	Single Family Homes	Apartment Units			
1. No Action	0	0	0	No additional students	
2.	1630	0 Assumed	1175	Unable to serve with present facilities	A
3. NW Urban Growth Area extension only	0 in CVSD	0 in CVSD	0 in CVSD	N.A.	In East Valley School District
4. SW Urban Growth Area Extension Only	1630	0 Assumed	1175	Unable to serve with present facilities	B
5	1630	0 Assumed	1175	Unable to serve with present facilities	C
6	1630	0 Assumed	1175	Unable to serve with present facilities	D
7	1630	0 Assumed	1175	Unable to serve with present facilities	E

^a In addition to the 2350 students expected from Liberty Lake plats or developer proposals identified in August 2006.

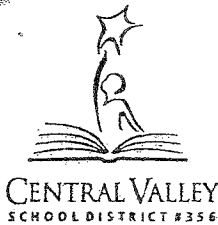
A. Encompasses approximately 2000 acres in Central Valley School District and 250 acres in East Valley School District. The portion proposed for Central Valley School District includes the district's third high school site. Inclusion of this site within Urban Growth Area would benefit Central Valley School District because it should make utilities available to the school site in timely fashion. The City of Liberty Lake has stated its intent to limit population in the proposed SW Urban Growth Area extension via land use regulation to 4500. Assuming single-family households, and 2.75 persons per household, we expect that approximately 1636 homes would occupy this area. We would expect these homes to produce approximately 1175 additional public school students. Central Valley School District will be unable to handle these additional students at current levels of service unless district is able to secure additional school space.

B. Includes the district's third high school site. Inclusion of this site within Urban Growth Area would benefit Central Valley School District because it should make utilities available to the school site in timely fashion. The City of Liberty Lake has stated its intent to limit population in the proposed Urban Growth Area extension via land use regulation to 4500. Assuming single-family households, and 2.75 persons per household, we expect that approximately 1636 homes would occupy this area. We would expect these homes to produce approximately 1175 additional public school students. Central Valley School District will be unable to handle these additional students at current levels of service unless district is able to secure additional school space.

C. Excludes CVSD's third high school site. The school district would benefit from the site's inclusion in the Urban Growth Area Extension. The City of Liberty Lake has stated its intent to limit population in the proposed Urban Growth Area extension via land use regulation to 4500. Assuming single-family households, and 2.75 persons per household, we expect that approximately 1636 homes would occupy this area. We would expect these homes to produce approximately 1175 additional public school students. Central Valley School District will be unable to handle these additional students at current levels of service unless district is able to secure additional school space.

D. Includes CVSD's third high school site. The school district would benefit from the site's inclusion in the Urban Growth Area extension. The City of Liberty Lake has stated its intent to limit population in the proposed Urban Growth Area extension via land use regulation to 4500. Assuming single-family households, and 2.75 persons per household, we expect that approximately 1636 homes would occupy this area. We would expect these homes to produce approximately 1175 additional public school students. Central Valley School District will be unable to handle these additional students at current levels of service unless district is able to secure additional school space.

E. Same as "C" above.



October 25, 2006

19307 EAST CATALDO
SPOKANE VALLEY, WA 99016
(509) 228-5400

Doug Smith, Director of Planning
City of Liberty Lake
Liberty Square Building, Suite 120
1421 N. Meadowwood Lane
Liberty Lake, WA

*Hand delivered
to City of Liberty
Lake 11.3.06*

Dear Mr. Smith:

Thank you for the opportunity to comment on the proposed Liberty Village residential development.

We understand that Liberty Village is slated to have 506 single family residences and 361 apartment units. We understand further that projected build out for this development is six to eight years.

We expect that this mix of residences will provide approximately 265 grades K-5 students, 72 grades 6-8 students and 78 high school students.

Enrollment figures since fall 2004 show that Central Valley School District is growing at the rate of about 285 students per year. The district has a total of seven classrooms available to serve grades K-5 students and nine classrooms for grades 6-8. We can thus house about 400 additional students in grades K-8. The school district also currently has capacity for a total of about 98 additional students at Central Valley and University High Schools. At the present rate of growth, we expect that district classrooms will be full in approximately 21 months.

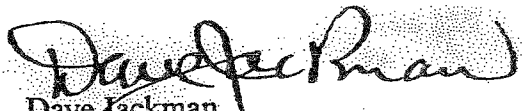
Central Valley School District should be able to serve students residing in Liberty Village through the 2007-08 school year. Some or all of these students may, however, be transported to schools outside the Liberty Lake community.

Since Liberty Village is expected to be adding living units, and public school students, for 72-96 months after approval, we expect that current school district facilities will be full well before Liberty Village is complete. Unless additional facilities become available to the district, it will be unable to accommodate new students from Liberty Village after summer 2008 at current levels of service.

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In accord with provisions of the Growth Management Act, Central Valley School District asks that the City of Liberty Lake not approve that part of the proposed Liberty Village development slated for construction after August 2008, pending adequate provision for schools to serve new public school students expected from Liberty Village after that date.

Sincerely,


Dave Jackman
Director, Auxiliary Services



19307 EAST CATALDO
SPOKANE VALLEY, WA 99016
(509) 228-5400

October 31, 2006

Amanda Tainio, Associate Planner
Planning & Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake, WA 99019

Dear Ms. Tainio:

Central Valley School District appreciates the opportunity to comment on SP-06-0003, the Herman Family Ventures Preliminary Short Plat.

We understand that this proposal envisions dividing a 32.22 acre parcel into four parts. Size of three of these parts is not specified. We understand further that one of the four new parcels is slated to be used as the site of a restaurant; the other three new parcels are expected to be developed as multi-family housing.

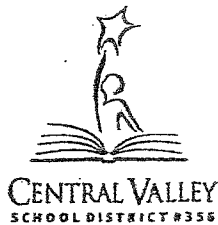
The City's Notice of Application states that neither a SEPA review nor an environmental review of this project is required. The notice also states that the project is not subject to public hearing.

In these circumstances, Central Valley School District does not know how much of the 32 acre site will be devoted to residential development, how many living units are planned, and what period of build-out is envisioned.

Given the school district's current rate of growth, we expect that the district's existing school facilities will be full by September 2008. In line with provisions of Spokane County's Growth Management Act, the school district asks that, pending availability of additional school facilities, the City of Liberty Lake not approve whatever residential portions of SP-06-0003 will be completed after August 2008.

Sincerely,


Dave Jackman
Director, Auxiliary Services



19307 EAST CATALDO
SPOKANE VALLEY, WA 99016
(509) 228-5400

November 8, 2006

Doug Smith
Planning & Community Development Department
Liberty Square Building, Suite 120
1421 N. Meadowwood Lane
Liberty Lake, WA 99019

Dear Mr. Smith:

I appreciated the chance to represent Central Valley School District at the November 8, 2006, Technical Review meeting for the proposed Liberty Village Development.


We understand that this 100-acre proposal is being planned for the northeast corner of Liberty Lake's current municipal boundary. Approximately 70 acres of this fast-tracked project will be devoted to dense residential development, with some townhouse lots as narrow as 16 feet. We understand further that the proposed community is being designed such that many public services, including school bus transportation, can be offered from a central location. No resident will be required to walk more than ¼ mile to this service hub.

At the Technical Review meeting, representatives of the developer and its engineer received copies of previously submitted school district comments noting that the school district expects to be full by September 2008. It appears that the district will be unable to significantly expand its facilities before fall 2008. Enrollment growth after that time will likely result in progressive deterioration in the level of service the district can offer its students and community. I reiterated the district's request that approval for residential development at Liberty Village after August 2008 be postponed until the school district is able to secure additional facilities.

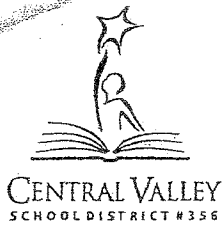
In response, representatives of the developer noted proposed density of single-family housing within Liberty Village as favoring families without school-aged children. They also inquired about the school district's interest in temporarily using potentially vacant commercial space near the heart of the community for public school purposes. I indicated the district would be pleased to consider this arrangement, but that similar proposals in the past have been problematic because (1) lease payments compete for the same dollars required to retain staff and operate instructional programs, and, (2) commercial buildings usually require substantial code-related modifications before being approved to serve as public school space. The district's investment in these modifications would be substantially lost when the lease period ends.

We appreciate the city's consideration of Liberty Village's effect on public schools.

Sincerely,


Dave Jackman
Director, Auxiliary Services

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19307 EAST CATALDO
SPOKANE VALLEY, WA 99016
(509) 228-5400

November 17, 2006

Amanda Tainio, Associate Planner
Planning & Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake, WA 99019

Re: P-06-0002

Dear Ms. Tainio:

Central Valley School District has received notice of the Liberty Village Preliminary Plat Public Hearing.

Central Valley has previously expressed its concern about being able to adequately serve new public school students residing in this area after August 2008.

The school district asks that approval for residences slated for completion after that date be postponed until adequate public school facilities are available.

Sincerely,


Dave Jackman
Director, Auxiliary Services

Response to Karen Toreson:

Not a comment on the adequacy of the DEIS, but rather an expression of concern for various issues and a preference for a particular planning outcome.

DEC 11 2006

To: Doug Smith, Director
Liberty Lake Planning and Community Development Department
27710 E. Country Vista Drive
City of Liberty Lake, WA 99019

FROM: Patty Weiser
1009 N Drury Ct.
Liberty Lake WA 99019

DATE: December 11, 2006

RE: Written testimony: The City of Liberty Lake Proposed Expansion of Urban Growth Boundary

City Clerk/Treasurer Initials OS

My name is Patty Weiser. I am a resident of the City of Liberty Lake and I would like to address the proposed expansion of the Urban Growth Area. As seat space decreases in the Central Valley School District (CVSD), the current level of services is at risk. For one reason, the district must make decisions as to what they have space to accomplish rather than on what is best educationally. Expansion of the Urban Growth Area only exacerbates this issue because it opens the door to increasing the population of the City of Liberty Lake through additional housing units. This expansion will increase the number of potential students to the Central Valley School District which is facing the prospects of no room for additional students by 2008.

CVSD enrollment is growing steadily at 2-3% each year and in the past two years nearly 700 additional students have enrolled in CVSD schools. In addition there are 8,600+ new housing units already in the planning stages with Spokane County, the City of Spokane Valley, and City of Liberty Lake. The district projects this will lead to an additional 5,300 more students within the next 10-15 years leading to almost 8000 more students in need of seats if no more facilities are built. The community has chosen three times to not fund additional schools. This pushes the opening of new schools at least 36 to 42 months into the future assuming the district chooses to run in November 2007 and it passes. Why would the City of Liberty consider adding the potential for even more housing units to an already bad situation?

The three potential solutions to over-crowding: interim facilities (portables), multi-track year round school, and double shifting all have consequences to education and family life. In addition, many of these measures have a financial impact as well which could also strain the current level of services.

Portables add strain to an already burdened infrastructure which in turn has effects on student learning. For example, if Liberty Lake Elementary School adds one additional class of students, they would most likely need to move from three lunch periods to four with the first period being from 11:40-12:25 and the last beginning at 12:55 and ending at 1:40 (with 85 minutes remaining in the school day). Physical Education, music, library education, and computer education would also be impacted and the increased number of students housed in portables would dilute the level of services provided to all students.

The cost of portables is another issue. A duplex portable would cost approximately \$100,000 (purchase, placing on site, etc.) and currently the district has a limited amount in its Capital Budget. There would be no funds available from the state for portable so any remaining funds for large numbers of portables would have to come out of the general fund thus creating a tremendous negative impact on levels of education services.

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Double shifting leads to students going to school early in the morning to late in the evening leading to safety issues. For example, the most urgent need for space is at the elementary school level – I do not want to think about a kindergartener walking to school at 6:00 am or walking home at 6:00 pm. Double shifting can also divide communities as each half of the population goes to school at different times.

Multi-Track year round school needs to have intensive community buy-in to be successful. High School is difficult to multi-track due to academic classes and other activities so there is the potential for families to have students on different schedules. (I am sure the district would strive to keep families together but there are no guarantees.) Finally, multi-track year round school does not dramatically increase the total seat space available.

It should be noted that school impact fees only provide a very small portion of the funds necessary to build a building. The Central Valley School District is constrained by a formula which restricts the amount of impact fees they can request a municipality to issue. Passing a bond and receiving support for the overall community at 60% of those voting is the only current way the district has to fully fund capital facilities. For example, if we assume that 1400 acres leads to 5600 plats (four per acre), those housing units would generate \$7.9 million in impact fees. However, the same number of plats could lead to approximately 3000 additional elementary and middle school students. The elementary students would need as many as five schools which cost, at current levels, approximately \$17 million a piece. The households would only generate \$7.9 million in impact fees leading to a significant shortfall to be borne by the taxpayers

The questions and answers prepared by the City of Liberty Lake on this subject mentioned that schools are “an indirect concurrency requirement meaning that overcrowded schools cannot be a factor used for controlling growth”. While there may or may not be a legal requirement to consider schools in determining growth, the city has additional responsibilities; they have a responsibility to its current citizens, they have a responsibility to the surrounding areas, and they have a responsibility to consider their own documents.

Adding to the potential number of students in the district will affect the level of services currently enjoyed by the citizens of Liberty Lake impacting the education of the city’s youngest citizens. In addition, the increase would impact the level of services the rest of the district experiences having a negative impact on the education of their children, and impact that citizens of Spokane Valley and the County cannot easily mitigate themselves. Finally, the City of Liberty Lake mentions the need to protect the level of services within its own documents.

For example:

- The city’s Capital Facilities Plan (Page 23) states, ““The following services and facilities must be evaluated for Concurrency...Public Schools”.
- And on Page 27, “the City coordinates land use planning with the school district to ensure there is adequate capacity in place or planned.”
- Page 8 of the city’s Development Code Comprehensive Plan Element Visions continued states, “Provide adequate school facilities for grades K-12 within the city that meet existing and future needs.”

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- Finally, on 159 of the City of Liberty Lake Comprehensive Plan 2003-2022 two goals read:

CF.9.4: Encourage the expansion of school facility capacity to proceed at a comparable rate with that of private residential development and demographic trends.

CF.9.5: Consider the adequacy of school facilities when reviewing new residential development.

Reading these statements, I see that the city is committed to education and a high level of service in this area. The city should do everything possible to maintain that level of service which means the city should consider the impact of expanding the UGA on schools. While it could be argued that the expansion of the proposed UGA is not approving development but it should be considered the first step in the approval process because it opens the door for such development to take place.

As the UGA is reevaluated at regular intervals, I advocate no change in the UGA at this time. This would allow the school district time to pass a bond in order to finance in increase in facilities without the city adding to the ongoing problem of overcrowding. This option offers the best chance of maintaining current service levels respecting the city's own citizens and the city's neighbors who would also be affected by a change. In addition, no change would give the city consistency between its actions and its stated goals as written in various city documents. If, in the future, the infrastructure will improves to the point that additional students can be accommodated without lowering existing service levels, the city could realistically examine the expansion of the UGA.

Response to Patty Weiser (1)(Comment received after DEIS comment deadline):

Not a comment on the adequacy of the DEIS, but rather an expression of a preference for a particular planning outcome.

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City Clerk/Treasurer
Initials

DEC 11 2006

To: Doug Smith, Director
Liberty Lake Planning and Community Development Department
27710 E. Country Vista Drive
City of Liberty Lake, WA 99019
FROM: Patty Weiser
1009 N Drury Ct.
Liberty Lake WA 99019
DATE: December 11, 2006
RE: Written testimony: The City of Liberty Lake Draft Environmental Impact
Statement Urban Growth Boundaries (DEIS)

My name is Patty Weiser. I am a resident of the City of Liberty Lake and for the past 15 months I have served as co-chair of the Central Valley Citizens for Education – directing efforts to pass a facilities bond for the Central Valley School District. I here to address sections 3.3.1.7 Public Schools of the Draft Environmental Impact and only those portions of the section that deal with the Central Valley School District.

Section 3.3.17: Mention is made in the DEIS of measuring enrollment and school capacity data in terms of Full Time Equivalent rather than with head count (Page 3-13). This is true that FTE's is a common measure of many different school statistics – however there is danger in using just FTE's to determine school capacity as students do not come in convenient packages. For example, if your local elementary school has no seats available in the 4th grade and a fourth grader moves into that school's attendance area – then there is a situation of overcrowding – even if there is room in a third grade classroom or a 5th grade. The district cannot simply place the child in any empty seat at the school – the child must go into a seat in the proper grade level.

For this reason, the CVSD looks at the available classrooms in each school. During the fall of 2006, the district did such a classroom inventory and has seven classrooms available in elementary schools and nine classrooms available in middle schools. While the number of students allowed in each classroom varies with grade level - this district has room for approximately 490 more students.

Please keep in mind that CVSD enrollment is growing steadily at 2-3% each year and in the past two years nearly 700 additional students have enrolled in CVSD schools. But there is even more bad news – currently there are 8,600+ new housing units already in the planning stages with Spokane County, the City of Spokane Valley, and City of Liberty Lake. The district projects this will lead to an additional 5,300 more students within the next 10-15 years.

Let's look at the math (using the same formula the district uses to project enrollment and census data). The district has space for approximately 490 more students. If you add in the students expected from plats already in planning stages (5108) and you have a deficit of 4,618. Add in the number of students expected from the increase population allowance (1,365) and your deficit increases to 5,983. Finally add in the number of students which we can expect if UGA is expanded to the fullest extent proposed and there are 1400 buildable acres (2000) and there is a total deficit of 7,983 students throughout the district.

These figures do not address an additional complication caused by the changing demographics of existing neighborhoods. For example, the South Pines Elementary

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Attendance area has little, if any, new development – it is almost completely built out. Yet their enrollment increased from last year to this year approximately 5%. (400 to 420). This growth is almost entirely due to the changing demographics of the neighborhoods surrounding the school as older families move out and younger families move in.

The Draft EIS speaks of the use of portables increase interim facilities (Page 3-14). Portables add strain to an already strained infrastructure which in turn has effects on student learning. For example, if Liberty Lake Elementary School adds one additional class of students, they would most likely need to move from three lunch periods to four with the first period being from 11:40-12:25 and the last beginning at 12:55 and ending at 1:40 (with 85 minutes remaining in the school day). Physical Education, music, library education, and computer education would also be impacted and the increased number of students housed in portables would dilute the level of services provided to all students.

The Cost of portables is another issue. A duplex portable would cost approximately \$100,000 and currently the district has a limited amount in its Capital Budget. There would be no funds available from the state so any remaining funds for large numbers of portables would have to come out of the general fund thus creating a tremendous negative impact on levels of education services.

School Impact Fees (Section 3.3.1.7.2): While it is true that the City of Liberty Lake is the only municipality proposing to collect impact fees for need school facilities, it should also be noted that impact fees only provide a very small portion of the funds necessary to build a building. In addition, Central Valley School District is constrained by a formula which restricts the amount of impact fees they can request a municipality to issue. Passing a bond and receiving support for the overall community at 60% of those voting is the only current way the district has to fully fund capital facilities.

Alternatives 1-7 (Section 3.3.1.8) all require “additional school facilities to maintain adequate service levels”. With the failure of the recent bond, these facilities are now several years from opening, if in fact, the community passes a bond to fund them.

Public Schools – Mitigating Measures (Section 3.3.1.9): I have included a discussion on each proposed mitigating factor below.

Bullet Point Number #1: this factor states “Monitor demographic changes and take a proactive stance in planning”. CVSD already monitors demographics working with the county and other governments. They have a capital facilities plan which it updates as often as necessary. They have land available throughout the district for building. But new facilities still require that the community invest in facilities – something the community remains unwilling to do.

Bullet Point #2: The second factor of having the district work with the city only address planning which the district already does and does nothing to increase seating capacity.

Bullet Point #3: “Seek approval of bond issues to address facility needs.” Our community has reject three bond proposals to fund facilities. Assuming that another bond is run and passed – the earliest that a new elementary school could open is February 2009 and a new middle school would be April 2010.

Bullet Point #4: The schools could examine smaller schools leading to decreased transportation costs. This one didn't make much sense to me as most transportation costs are funded under the Basic Education Act and those funds come from the state. Smaller schools would have at most, a minor impact on the district's overall transportation budget and larger schools may be more cost efficient to build. In addition, larger schools are more cost efficient to operate. More small schools would require more land acquisition (which can be costly). Finally, once again, the schools would still require community support in passing a bond.

Bullet Point #5: Regarding School Impact Fees - while these fees do provide a small amount of funding thus reducing the overall amount of a bond for new construction - it only represents a small fraction of the cost. For example, if 1400 acres is built out at a density of 4 houses per acre, this leads to 5600 houses and approximately 3000 additional middle and elementary students. That is five elementary schools which cost, at current levels, approximately \$17 million a piece. The households would only generate \$7.9 million in impact fees leading to a significant shortfall to be borne by the taxpayers.

Bullet Point #6: "maximize use of existing schools facilities." The district will already need to look at these alternatives due to the current crisis - not to mention what the additional number potential students in the proposed UGA would add to the problem. Split shifting leads to students going to school early in the morning to late in the evening and given that the most urgent need for space is at the elementary school level - I do not want to think about a kindergartener walking to school at 6:00 am or walking home at 6:pm. The safety of our youngest students would be a serious issue. The scenarios involving maximizing existing school facilities have a potentially negative impact on service levels.

As you can see - the only mitigating factor that makes it appropriate to have increased growth is the addition of new school facilities to accommodate the increase number of students. This requires the community passes a bond to pay for those facilities and until that happens, the CVSD will not be able to be able to meet the existing levels of service for new students

I have spent a lot of time trying to understand both this process and the proposed expansion of the UGA. I am not anti-growth - growth is a natural process. I live in a development that was part of that natural process. However, when I moved here - the infrastructure and levels of services accommodated my family's entry into this community. I do not see that here. At current service levels, CVSD will be totally full by the fall of 2008. There is not room for the students in developments already approved. There is not room for students in any future development in an expanded UGA. There is not room for the increased population allocation proposed by the City of Liberty Lake. Central Valley School District's education programs will be impacted by this overcrowding. It is a goal of the city to "ensure that public facilities and services support proposed development at established service levels and that development shall be approved only after it is determined that public facilities and services have the capacity to serve the development without decreasing levels of service below adopted standards (City of Liberty Lake Comprehensive Plan). In addition, the Capital Facilities Plan states "The following services and facilities must be evaluated for Concurrency... Public Schools" (page 23). It could be argued that the expansion of the proposed UGA is not

approving development but it should be considered the first step in the approval process because it opens the door for such development to take place.

As the UGA is reevaluated at regular intervals, I advocate adoption of Alternative #1. At the next phase of reevaluation perhaps the infrastructure will have been improved to the point so that the proposed expansion of the UGA and subsequent development can be accommodated while maintaining the current service levels. As I have stated, I am not against growth. But I will be blunt, growth that adversely impacts the education of our children is not the type of growth that Liberty Lake needs.

Response to Patty Weiser (2)(Comment received after DEIS comment deadline):

- 1) The DEIS broadly examines the impacts of a range of strategies for accommodating projected growth. This is a Non-project DEIS, and the concerns of the writer cannot be addressed until and if specific project applications are received. Further environmental review will occur at that time.

The DEIS does not attempt an environmental review of all impacts and mitigating measures. Such detailed analysis will be considered as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time.

The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented.

- 2) Not a comment on the adequacy of the DEIS, but rather an expression of a preference for a particular planning outcome.

City of Liberty Lake
Planning Commission
November 25, 2006

Members:

Having lived at Liberty Lake for 30 years, we have seen growth come in stages. The first five years there was virtually none. The next ten years showed slow growth, although our first traffic light was put up. Each year of the last fifteen has shown more rapid development than the previous one and now the projections are showing an explosion of growth that is becoming unmanageable.

We're not asking for growth to stop. It's inevitable. We're asking you to **SLOW THIS PROCESS DOWN!**

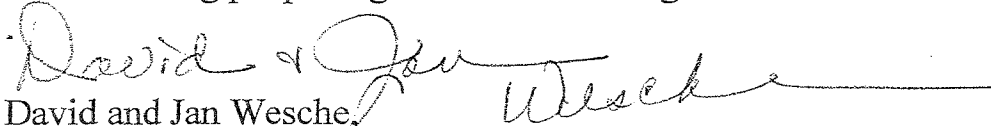
PLAN WELL! Don't change the UGA boundaries now. Take plenty of time for public input and study as was allowed by the county the first time around.

Put a plan for infrastructure in place; the roads, sewer and water. How will traffic patterns be impacted re: safety, driving time and road capabilities.

Where will students be housed? Central Valley school district has stated that "only 400 more students can be serviced by this district". Bussing students is already taking place.

An Environmental Impact Statement that is carefully done by trained people with experience is a must for the community. The huge amount of varied landscape deserves the utmost consideration for the community to place their trust in the finished piece. Don't short change the community by accepting an EIS, completed on a fast track time frame by inexperienced people employed by the City of Liberty Lake.

We implore you to slow down, plan well and decide on a recommendation that will bring people together rather than agitate and divide.


David and Jan Wesche,

507 Shoreline Dr, Liberty Lake, WA 99019 255-6286

260075

Response to David & Jan Wesche:

- 1) Not a comment on the adequacy of the DEIS, but rather an expression of concern for various issues and a preference for a particular planning outcome.**
- 2) The DEIS prepared by the City of Liberty Lake for the UGA Boundary Alternatives meets all requirements for state law and sufficiently addresses items for this Non-project Action. Further environmental review will be conducted if and when project applications are received.**

2000

22 NOV 06

I am very quickly writing
this note to state the following:

- 1) No change to the current UGA
- 2) Mr. Chesrown can develop
1 house per 10 acres as is currently
defined under rural development. I
am not anti growth, I am pro
smart and controlled growth.
- 3) The ^{City} ~~land~~ should develop the land
in the ^{current} City limits as has been defined
by the 20 year plan. Spokane County
has not requested any change in this boundary.
- 4) Doug Smith needs to reuse himself
due to conflict of interest. He should have
no input into any change of the
UGA. If he is still left in the
process he should sell the property
that is impacted prior to the UGA
change
- 5) There is little ~~chance~~ that the City

has done to plan for the infrastructure.

Not sufficient schools

Not sufficient water

Negative Impact on Liberty Lake Watershed

Not sure on sewer capacity

Road infrastructure not
sufficient

The impact is extremely negative
on the Liberty Lake Watershed.

This needs to be strongly
considered

Sincerely, Lorna Willard

Lorna Willard

Response to Lorna Willard:

Not a comment on the adequacy of the DEIS, but rather an expression of concern for various issues and a preference for a particular planning outcome.

Agency Comments

Doug Smith

From: Caputo, Dee (CTED) [DeeCa@CTED.WA.GOV]
Sent: Thursday, December 07, 2006 3:28 PM
To: dsmith@libertylakewa.gov
Cc: Caputo, Dee (CTED)
Subject: RE: Draft Letter for your preview

December 7th, 2006**RE: Draft Environmental Impact Statement (DEIS) To Expand Liberty Lake's Urban Growth Area Boundary**

Doug Smith, SEPA Responsible Official
City of Liberty Lake
22710 E. Country Vista Drive
Liberty Lake, Washington 99019

Dear Mr. Smith:

Thank you for sending the Washington State Department of Community, Trade and Economic Development (CTED) the DEIS for potential expansion of Liberty Lake's urban growth boundary. The decision to expand the urban growth boundary represents a commitment of resources that will have permanent implications for the future of the community of Liberty Lake and the entire Spokane County region. Although a process such as this one is controversial, time-consuming and expensive, we commend the city for choosing to take a deliberative and comprehensive approach to evaluating the need to expand the urban growth boundary.

When cities and counties work with citizens to discuss their priorities for the future, they must balance important considerations - using land wisely, providing the foundation for economic vitality, and protecting environmental and natural resources - that produce important and long-lasting consequences. These choices can sustain the quality of life that makes Washington a remarkable place to live and create the predictability needed for economic investment. As you work toward the development of a preferred alternative for the final EIS, we have the following comments for your consideration.

Location and Sequencing of UGA Expansions - RCW 36.70A.110 (3)

The Growth Management Act (GMA) establishes a hierarchy governing the order in which new land should be added to the urban growth area (UGA). Areas should be considered in the following order, based on existing development patterns. Growth should go first to areas already characterized by urban development and containing urban services. Growth should go second to areas already characterized by urban development but not containing necessary urban services. Only as a third order priority should new urban growth be directed to areas adjacent to areas characterized by urban growth, but not containing urban services. As you work toward a FEIS, we would urge you to evaluate each area for inclusion based on this framework.

UGA Expansions into Resource Lands and Critical Areas

The GMA establishes an order of preference for jurisdictions to use when designating the UGA. RCW 36.70A.060 calls on counties to designate resource lands and critical areas first, so any expansion of the UGA into resource lands and large associations of known critical areas can be avoided. As you evaluate areas to include in the FEIS, we recommend not including areas with known large associations of high value critical areas. We recommend not expanding the UGA into frequently flooded areas, aquifer recharge areas or geologically hazardous areas in order to prevent threats to public health and safety. We also recommend not expanding the UGA into lands containing or adjacent to designated agricultural resource lands. Using future land use designations to avoid urbanization of these high value areas is the first step to providing adequate protection. This first step protects the resource better than a

12/8/2006

project-level assessment and mitigation under the critical area ordinance (CAO) can, and also avoids delays and uncertainty at the project level by not zoning land for an intensity of development that is not truly achievable given the presence of critical areas. We would urge the city not to carry into the final EIS any expansion into designated agricultural resource lands or identified frequently flooded or aquifer recharge areas.

In CTED's letter to Liberty Lake in 2003, at the time of completion of your first comprehensive plan, we observed:

- While the City of Liberty Lake currently has determined it does not have designated critical areas within its incorporated boundaries, the city included a Natural Environment Element within this plan to address critical area issues should they occur in the future. We applaud the city for this rational and thoughtful approach to critical area protection if circumstances change in the future.

It appears from the language in this DEIS that each described alternative except the first proposal will need to rely heavily on the adopted Natural Environment Element for initial critical area protection. We suggest Liberty Lake review its currently adopted critical areas ordinance in light of this fact, to assure effective protective measures are in place if the preferred alternative for its future UGA boundary warrants it.

The EIS lays out impacts of development under the seven scenarios. When determining what is carried forward into the FEIS, CTED recommends each amendment be evaluated in terms of what is its value, by comparing the amount of new capacity available relative to its cost, both fiscal and environmental, documented in this EIS. This kind of cost/benefit analysis can assist the city in determining how to accommodate its anticipated growth needs while avoiding impacts to environmental functions and values and minimizing the need for new public facilities and services. We also recommend using information about watershed health, value and vulnerability to prioritize and evaluate different areas for inclusion within the UGA.

Impacts on Natural Features and the Environment

The document evaluates a wide range of potential impacts among the seven alternatives. The primary driver of environmental impact appears to be increased urbanization within an array of critical areas characterized for each of the UGA expansion scenarios. The DEIS seems to propose Alternatives 1 and 3 as having the least amount of environmental impact, due to no new land or a moderate amount, to be added to the existing UGA. The currently proposed number of increased inhabitants for the next twenty years, based on a population allocation yet to be formally adopted, that is described as useful for planning purposes, may not be found valid in coming months. If this turns out to be true, future discussions on a suitable alternative may focus on something in line with these two scenarios.

Infill and Intensification of Existing Urban Areas

While the draft EIS does not actually identify increased impervious surface as one of the main drivers of environmental impact, it certainly appears to be so. As such, infill and intensification of existing impervious areas can accommodate growth at substantially lower cost than conversion of undeveloped land. This EIS is silent on the potential for significant redevelopment and infill opportunities within the existing urban growth area. In fact, the assumption made throughout the document is that future development will be subject to current zoning and development regulations. Adoption of an effective redevelopment strategy could accommodate a significant amount of the future population growth and significantly decrease the need for new UGA expansions. This will likely represent the best value in terms of capacity produced for the amount of fiscal and environmental impact. When developing the final EIS, we recommend the city look at an infill-intensive FEIS with relatively few UGA expansions.

Transportation and Capital Facilities Impacts

Six of the seven alternatives all imply significant, but varied unfunded need for new transportation and capital facilities. RCW 36.70a.070 requires a transportation element and a capital facilities element that develops a financially realistic assessment of how adequate public facilities will be provided that is consistent with the land use element. If new land is urbanized, the plan must show how it will be provided with adequate facilities and how those facilities will be financed. As you develop a final EIS, we recommend you do so with an eye to these requirements so that the adoption of a final EIS creates an integrated land use/transportation strategy that is financially sound.

The GMA also requires the Transportation Element to estimate land use impacts on state transportation facilities.

Identified state and local system needs must also be consistent with state and regional transportation plans. We recommend that, for the preferred alternative, the county evaluate the impacts and costs, not only to the county system, but also to the state highway system and to the urban arterial network in affected cities.

The EIS implies that a significant driver of these costs will be the need for an expanded arterial road network in the rural areas as the UGA expands. This is one of the reasons the GMA directs growth first to areas with adequate facilities to handle new growth. As you work toward the development of a final EIS, we recommend choosing areas for inclusion, consistent with the location requirements in the GMA, which provides the greatest value in terms of generation of new growth capacity for the amount of fiscal and environmental impact generated.

Although intensification and infill may generate the need for capacity improvements and other improvements and are not without consequences, these are usually significantly less than what would be required to serve a comparable amount of development in a new UGA expansion area requiring the installation of the full range of urban services. A report recently released by the state Department of Transportation evaluates a range of land use strategies that tend to decrease the transportation impacts of development. These strategies are consistent the kind of development envisioned in the urban centers demonstration program. Modeling work conducted by the Puget Sound Regional Council as part of Vision 20/20 has also shown that significant reductions in both vehicle miles traveled and in the percentage of trips by private car can be accomplished with a coordinated combination of land use strategies, such as those envisioned in urban centers. CTED recommends that strategies such as these be considered and evaluated as alternatives to a land use patterns that generate the need for significant new transportation facilities.

Thank you, again, for the opportunity provide comments on the draft EIS. We look forward to continued work with the city on the development of the final EIS. If you have any questions, please do not hesitate to contact me at (360) 725-3068.

Sincerely,

Dee Caputo, AICP
Senior Planner
Growth Management Services

Growth Management Services

cc:

James Manson, Director, Spokane County Division of Building & Planning
John Pederson, Senior Planner, Spokane County Division of Building & Planning

Response to Dee Caputo, AICP, Senior Planner, Growth Management Services,
Community, Trade, & Economic Development Department:

- 1) Not a comment on the adequacy of the DEIS, but rather advice on criteria for focusing urban growth in certain areas.
- 2) WAC 197-11-450 states that "A cost-benefit analysis (WAC 197-11-726) is not required by SEPA. If a cost-benefit analysis relevant to the choice among environmentally different alternatives is being considered by an agency for the proposal, it may be incorporated by reference or appended to the statement as an aid in evaluating the environmental consequences. For purposes of complying with SEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations."
- 3) Not a comment on the adequacy of the DEIS
- 4) Not a comment on the adequacy of the DEIS, but rather advice on criteria for focusing urban growth in certain areas.
- 5) The referenced RCW 36.70a.070 refers to requirements for Comprehensive Plans, not SEPA documents. These concerns will be addressed at the appropriate time.
- 6) The DEIS does not attempt an environmental review of all transportation alternatives and mitigating measures. Such detailed analysis may be considered as part of the annual updates of the City and County 6-Year Transportation Improvement Plans, as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time.

The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented.

Amanda Tainio

From: Karin Divens [divenkad@DFW.WA.GOV]
Sent: Friday, December 08, 2006 12:31 PM
To: dsmith@libertylakewa.gov
Cc: DeeCa@CTED.WA.GOV; Jennifer Hayes; Mark Wachtel; dpin461@ecy.wa.gov; atainio@libertylakewa.gov; bhunt@spokanecounty.org; jpederson@spokanecounty.org
Subject: Draft EIS Comments Liberty Lake UGA expansion



DEIS Comments
Liberty Lake UGA.

Dear Mr. Smith:

Thank you for sending the Washington Department of Fish and Wildlife (WDFW) the DEIS for potential expansion of Liberty Lake's urban growth boundary and including our agency in this important review process.

Attached are WDFW's comments on the Draft.

Please feel free to contact me if you have any questions. WDFW looks forward to working with the City on preparation of a final draft of the EIS.

Karin A. Divens
WaDept of Fish and Wildlife
Area Habitat Biologist
2315 North Discovery Place
Spokane Valley, WA 99216
(509) 892-1001



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE

2315 N Discovery Place • Spokane Valley, Washington 99216-1566 • (509) 892-1001 FAX (509) 921-2440

December 1, 2006

City of Liberty Lake
Attn: Doug Smith, Planning Director
22710 E. Country Vista Drive
Liberty Lake, WA 99019

Dear Mr. Smith:

SUBJECT: Comments on the DEIS for the UGA expansion proposal

The Washington Department of Fish and Wildlife (WDFW) received the DEIS for the proposed UGA expansion and would like to provide the following comments.

General concerns about DEIS completeness and adequacy

WDFW does not consider this Draft of the EIS to be a comprehensive or complete document. It is unclear what scientific information or other sources were used to support the information in the DEIS, and it appears that many sections were cut and pasted. Even given the non-project status of this DEIS, the City should have taken a comprehensive look at the scientific information that exists on the habitats within the proposal area. For example, a formal request for all PHS information for the proposal area can be made through WDFW Headquarters in Olympia (see <http://wdfw.wa.gov/hab/phspage.htm>). In addition, the local Audubon chapter can provide bird species information, and the local WDFW Fish Program could have been contacted regarding fish information for the Spokane River. This comprehensive collection of information is among one of the many reasons that a thorough DEIS typically takes months to complete. Given the lack of completeness and scientific information, WDFW found it very difficult to comment on most of sections within Chapter 2. As a reviewing agency, we are happy to provide the scientific information necessary to complete these sections upon request by the City.

The maps included with the DEIS were useful. However, it would be more valuable to include a map that indicates springs, streams, and wetlands (critical habitats) on a map showing the UGA expansion area. All of the maps and the information were kept separate, making it difficult to see the potential impacts up front.

On October 18, 2006, WDFW submitted comments to the City for the Scoping Notice of the EIS. WDFW would like to take this opportunity to reiterate agency concerns

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expressed in those scoping comments for this UGA expansion proposal. WDFW suggested that the City take a close look at the City of Spokane's EIS and use the document as a model for the development of an EIS. As stated in the scoping comments, WDFW recommends that the City take a similar approach to Spokane in exploring Alternatives under the EIS, starting with a population allocation and then a look at how to accommodate growth by exploring different housing densities. Further, WDFW noted in its scoping comments:

“the Alternatives do not include options within the current UGA. As a part of the EIS process, WDFW recommends that the City place more attention on the concentration of infill within the current Urban Growth Boundary. In addition, the Alternatives offered in the Scoping Notice do not truly explore alternatives to expanding to the SW of the current UGA, an area containing critical habitats.”

It seems that the City of Liberty Lake, received, but did not truly consider this set of comments. The DEIS that was put out for review within just 3 weeks of the Scoping Notice, and does not appear to acknowledge the scoping comments from WDFW. The DEIS does not accomplish a very thorough review of the impacts from this proposed UGA expansion. While impacts are identified, the same set of impacts were cut and pasted into the other sections for a somewhat disappointing analysis of the implications of this proposal. The transportation analysis did not identify all of the impacts and the City missed some mitigation options.

WDFW notes that under GMA, jurisdictions are required to designate all critical areas within a jurisdiction. Critical areas include wetlands, fish and wildlife habitat conservation areas, critical aquifer recharge areas, frequently flooded areas, and geologically hazardous areas. RCW 36.70A.060 requires critical areas to be designated first in a planning process. By doing so, expansion of a UGA can avoid critical areas, take into account the constraints of the land to development, and include protection and mitigation standards as required under GMA.

By better avoiding the urbanization of its critical areas through its Comprehensive Plan, the City will ensure ecological function and value far more adequately than is possible on a project-level, site-by-site assessment and mitigation. In addition, the City will also be avoiding permitting delays and uncertainty in the future by zoning the land for an intensity of development that is appropriate given the presence of critical areas.

Specific concerns about the proposed UGA expansion

SW UGA PROPOSAL: Best Available Science (BAS) shows that urban development puts habitat at greater risk for degradation and fragmentation. Portions of the Liberty Lake watershed are within the proposed UGA and much of this area is not compatible with urban development densities.

Quinnamose Creek is a Type F (Type 3) water and has Priority Habitat cottonwood galleries and aspen groves surrounding it. Bringing urban growth closer to this watershed

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will have direct and indirect impacts on water quality and stream habitat. The UGA expansion will force the improvements to Henry Road, as it has been identified as a "major arterial". This road does not currently meet road safety standards. Any widening or straightening will require the replacement of all culvert to meet current fish passage standards. Culvert replacements will benefit fish species as several of the culverts are current barriers to resident fish movement, but will result in a loss of mature aspen groves and cottonwood galleries- losses that will be difficult to mitigate for.

The entire SW proposal area is covered with springs and other small surface water streams. It is unclear from the DEIS how the presence of these elements have been taken into account.

Saltse Flats is a large and unique wetland complex that is extremely valuable habitat for resident and migratory waterfowl species. In an effort to provide permanent protection for this site, WDFW tried unsuccessfully to purchase the land for a Watchable Wildlife Site. The wetland complex is also a valuable source of aquifer recharge. Spokane County has identified Saltse Flats as ideal for a wetland infiltration and restoration site and is currently working to move the project forward- an effort WDFW supports for its habitat potential as the proposal includes wetland restoration and reconstruction, increasing the value of the site for waterfowl. In addition, the site has recently been identified as a potential site for wetland banking and WDFW is involved in these efforts. The establishment of a wetland banking location in the Spokane area would be invaluable for use in mitigation efforts by Spokane County and WSDOT for wetlands that are impacted by road development. While the land surrounding Saltse is now seeing some pressure from development actions, the integrity of the basin is currently still intact. The proposed expansion of the UGA by Liberty Lake to include this area would be inappropriate as high urban development adjacent to and around this wetland complex would significantly change the nature and the value of this habitat. The DEIS indicates that a potential impact to wetland habitats would include impacts from filling. WDFW does not support such activity in wetland habitats and encourages avoidance of wetland impacts as a first step.

NW UGA PROPOSAL: The Spokane River is a Type 1 water and a Shoreline of State Significance. The reach of river included in this proposal contains high quality habitats and contains critical spawning habitat for native rainbow trout, as well as many other species of fish. The Harvard Road access area managed by State Parks is the prime spawning area for trout in this area of the reach. Any development of this site must be consistent with the Shoreline Management Act and the current and future Shoreline Master Programs. The current land use designation of this area is Urban Reserve. Development of this site has to be well planned in order to accommodate the growth for the future, as is required under the Urban Reserve category. This should be the area for future growth *after* the City has completed infill within the current UGA boundaries. In addition, the City has a prime opportunity to preserve the remainder of the property as a natural area that is consistent with the SMP, providing protection for the river and natural open space within the jurisdiction. The City of Liberty Lake currently lacks natural open space. While there are multiple neighborhood parks and golf courses, there has been no

emphasis placed on the preservation of Open Space for the conservation of fish and wildlife habitat. Consequently there are not many areas designated as natural open space and protected from development within the current UGA. The City should use its Open Space Plan and a Land Use Plan to 1) retain open space, 2) conserve fish and wildlife habitat, and 3) increase access to natural resource lands and water (RCW 36.70A020).

Concerns with specific sections of the DEIS

In the cover letter of the DEIS, the City Planning director writes that this effort is intended for: "making the best selection of UGA area. Development will happen and establishing the UGA will concentrate this growth." Development will happen, but part of GMA planning is to avoid impacts to critical areas. Therefore, growth should not be concentrated in sensitive habitat areas.

1) Section 1.3.1. of the DEIS references the GMA goals. However, WDFW is concerned that the proposals put forward for the UGA expansion and analyzed under the DEIS process do not accomplish the GMA goals of 1) Encourage development in urban areas where public facilities and services can be efficiently provided, 2) protect critical areas and the environment, 3) provide open space and recreational opportunities, 4) provide adequate public facilities and service to serve new growth. There appear to be no real alternatives proposed to address these guidelines other than the "no action alternative".

2) Section 1.5 Project Objectives: *Guide planning decisions and the physical development in the City and in areas adjacent to the City limits so that the forecasted growth occurs in designated areas where the necessary public facilities and services can be efficiently provided. The City and county comprehensive plans have adopted goals to limit growth in rural areas, environmentally sensitive areas, and on key agricultural or resource lands.*

WDFW finds that the proposed UGA expansion is in direct conflict with this objective. Urban densities, rather than limited development, are instead being proposed in the environmentally sensitive areas, including two watersheds, and Saltese Flats, as sensitive wetland and waterfowl area.

3) Chapter 2: Natural Environment – Existing Conditions, Environmental Impacts And Mitigating Measures, 2.1.1.4. *Unique Physical Features Unique physical features in the NW study area (Alternatives 2 & 3) include the Spokane River and its shorelines. Unique physical features in the SW study area include hills; forested backdrops; viewscapes of Liberty Lake; and small unnamed creeks and wetlands.*

The City of Liberty Lake did not indicate impacts to Quinnamose Creek and surrounding habitats from the UGA Expansion. See above for comments on Henry Road. Spokane County Engineering and Roads have identified Henry Road as inadequate for paving. The road is too narrow and has substandard curves. Straightening and widening the road will have impacts to Quinnamose Creek, a Type F stream with verified fish presence, as well as direct losses to the aspen groves and cottonwood galleries, which both are

identified as Priority Habitats under WDFW's PHS program. Road improvements will also require the replacement of any culverts that are currently blocking fish passage. Design of new or retrofit culverts must be in compliance with WDFW fish-passage criteria as defined by WAC 220-110-070. The EIS must address mitigation components for these impacts.

4) 2.1.2. *Earth – Impacts New Construction, road improvements, and utility installation involving land clearing, fill, excavation, grading, and alteration of drainage characteristics may potentially affect the earth environment in a variety of ways.*

The Spokane County Board of Commissioners recently passed a resolution regarding adoption of screening and evaluation criteria for the Spokane County Comprehensive Plan Update, which states that land currently zoned Rural Conservation should be excluded from inclusion in the UGA.

The County zoned the area including and surrounding Saltese Flats as Rural Conservation for a reason. The County recognized then, and continues to recognize the importance of maintaining the Rural Conservation zoning, and excluding such areas from inclusion in the UGA. This is indicated by the passage of the resolution above.

Allowing higher density development around Saltese Flats, which provides critical habitat for waterfowl, would cause significant impacts to habitat and habitat availability, as well as water quality and water quantity resulting in degraded conditions. The boundary for the UGA extends well into the floodplain, wetlands, and the waterfowl habitat identified under the WDFW PHS program. Such a proposal is not all compatible with protection of these critical habitats.

The only plausible or supportive option for this land under this proposal or any other would be the permanent protection of this unique feature known as Saltese Flats – protection that Spokane County is planning to implement. Such an effort can be coordinated with the County and the City of Spokane Valley and may include a Conservation Easement or wetland banking. At the recent City Council meeting when the DEIS was distributed, Mr. Doug Smith told the public that the City also intends to protect the wetlands if this portion of the UGA expansion was approved. The lack of any mention of this intention in the DEIS text gives reviewers little faith that such an effort is intended. A commitment to the conservation of this critical habitat should be included under the mitigation options for impacts to Saltese Flats.

Review of the various proposed Alternatives

The Draft EIS document outlines 8 alternatives. However, review of the document indicates that the analysis was simply cut and pasted under the exploration of each Alternative. The text of each alternative is identical to the next, with the exception of some exclusion or inclusion of detail, depending on application. Under Scoping, WDFW suggested that the City do more and seriously explore options under the Alternatives.

This suggestion was not seriously considered by the City in its 2 week preparation of this document. — 11

1) Alternative 1 – No Action. *The No Action alternative is expected to push growth and the impacts of growth not previously anticipated during the 2001 projections and analysis to the existing City limits.* WDFW previously suggested that the City of Liberty Lake analyze infill potential and work within the current UGA first. Alternative 1 is the only alternative that WDFW can fully support at this time.

2) Alternative 2. *This would expand the development pattern outside the existing UGA and would be expected to create the most significant and widespread impacts to the earth.*

The City completed a cut and paste analysis of the major concerns with developing in an areas that contain a lot of critical areas. Even with this simplified analysis, it is apparent that expanding urban development into these areas, particularly to the SW, is incompatible with the natural environment and constraints of the landscape. The existence of substandard roads, steep slopes, rock outcroppings, springs, aquifer recharge areas, stormwater management, floodplain, wetlands, Priority Habitats and Species, wildlife corridors, and erodible soil types, make this Alternative difficult to support. Mitigation for such a proposal should also include permanent protection of the wetland and waterfowl area of Saltese, as well as a “natural area” proposal for the Spokane River property.

3) Alternative 3 – NW Proposal. *Under this alternative, new growth would be directed into the existing City, but would require a minor expansion of the UGA. This alternative would be expected to result in a moderate area of land that is presently designated as urban reserve being developed for urban land uses.*

This Alternative, if done correctly, is a supportable option for the future growth of the City of Liberty Lake. At this time, WDFW still suggests that the City work within its current UGA on infill. Areas designated as Urban Reserve are supposed to provide expansion areas for the future. The Spokane River is a Type 1 water and a Shoreline of State Significance. Putting 250 acres on the river into Urban Development puts the the river at high risk for impacts. Therefore, development of this site must be well planned in order to accommodate the future growth, consistent with the Urban Reserve category.

In addition, the City has a prime opportunity to preserve of the remainder of the property as a natural area that is consistent with the SMA and the current and future SMP, providing protection for the river and natural open space within the jurisdiction. This area should in the very least include the 250’ shoreline buffer area. The City could benefit economically and for quality of life by preserving this area as a natural area, not a developed park.

4) Alternatives 4, 5, 6, and 7.

These alternatives put habitat at greater risk for degradation and fragmentation. The proposal to expand the UGA into the southwest area will affect 2 watersheds as well as Saltese Flats. Portions of the Liberty Lake watershed are within the proposed UGA. In addition, the entire SW proposal area is covered with springs that arguably contribute to groundwater recharge as well as the hydrology of the Quinnamose Creek watershed. As pointed out by Brenda Sims, Spokane County Stormwater Utility Manager, steep slopes, erodible soils, and surface hydrology make the area east of Henry Road particularly difficult to develop in regards to stormwater.

Quinnamose Creek is a Type F (Type 3) water and has Priority Habitat cottonwood galleries and aspen groves surrounding it in the riparian area. Bringing urban growth closer to this watershed will have direct and indirect impacts on water quality and fish habitat. As stated before, Henry Road will undoubtedly have to be improved, a project that will require culvert upgrades. While this will benefit fish, the road project will result in a loss of priority habitats.

See comments above for discussion of the habitat value of Saltese Flats.

While Alternative 5 removes Saltese Flats and some of the Liberty Lake Watershed from the proposed expansion area, there will still be impacts from putting the remainder of the SW proposal into urban densities. See above comments regarding Quinnamose Creek and Saltese Flats.

Section 2.1.3.7. Conservation Strategies

Conservation Futures and open space are mentioned in this section, but there are not specific areas targeted with these protective strategies. WDFW encourages the City of Liberty Lake to commit to preservation of Saltese Flats under the UGA proposal. Mr. Doug Smith, Planning Director for the City of Liberty Lake, made such a statement at a recent Planning Commission Meeting, yet such a proposal was not been included in the text of this DEIS as a mitigating measure to the impacts from Alternatives 2,4,5,6,7. If this is the intent of the City, this commitment should be put in writing and presented to the public as such. WDFW also has identified the Spokane River property west of Harvard as an ideal area for a natural area.

A. AQUIFER SUSCEPTIBLE AREAS – Existing Conditions Drainage

100% of the NW planning area lies in the Critical Aquifer Recharge Area (CARA). Approximately 90% of the SW planning areas lies in the CARA. The remaining 10% lies in either Moderate or Low Susceptibility.

The CARAs should be identified as a Critical Habitat under the City of Liberty Lakes Critical Areas Ordinance. WDFW was not included in the review period for this document and is therefore unaware if this is the case. The CARA in the NW and SW

planning areas are very important for aquifer recharge. Under GMA guidelines, CARAs are to be avoided when developing.

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Land Use

The text says “The NW portion of the planning area is used for agriculture with associated residential uses and single family residential. This area also provides wildlife habitat, recreation, and fishing. *There are no priority habitats or species in this planning area* (see Map 2.9).”

The DEIS would be more accurate to note that there are Priority Habitats and Species within the NW planning area. The Spokane River and the associated riparian habitat are Priority Habitats and are mapped. The resident fish within the Spokane River are Priority Species. The proposed urban densities will have associated impacts to the Spokane River and impacts and mitigation and restoration strategies must be addressed in the Environmental Impact Statement.

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SEASONAL MARSH, WETLAND STREAMS, DNR STREAMS – Existing Conditions

Water Quality- The Saltese Flats are one of the few remaining large wetlands in the Spokane area somewhat intact. Potential threats to this watershed include urban runoff, septic tank leakage and fertilizer/pesticide runoff urban, and increased urban development.

WDFW would like to reiterate the importance of the potential threats to water quality cited in the document, particularly for Saltese Flats. Under GMA, jurisdictions should first identify critical habitats and then avoid them through careful planning. The only acceptable option for Saltese Flats is permanent protection either via conservation easements or a program such as wetland banking. Urban development in or adjacent to this unique feature will degrade the quality of this wetland and its importance for waterfowl.

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2.4.2.2. Wetlands. Filling will of wetlands will result in habitat loss, and loss of wetland function must be mitigated. The Washington Department of Ecology has many very valuable documents to review and cite on wetland importance.

2.5.1 Plants and Animals – Existing Conditions.

The information in the Wildlife Habitat and Diversity section in Chapter 2 of the DEIS is very generic. As part of this DEIS, there should have been a comprehensive collection of specific species and habitat information that indicates the use of Best Available Science.

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0037-3

This portion of the DEIS is considered incomplete and must be improved for the final draft.

-15

2.5.1.1.6. *Riparian Areas.*

An additional mitigation strategy to consider is the restoration of riparian areas within the City's jurisdiction. Restoration is one of the approved activities under the Pastoral Shoreline designation. WDFW will be more than willing to assist the City in such effort.

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2.5.1.1.7. *Freshwater Aquatic.*

Specific species that should be considered in this section include: rainbow trout, brook trout, brown trout, kokanee (from above Post Falls), chinook (from above Post Falls), longnose dace, longnose suckers, largescale suckers, and sculpin species. Other resident species may include: northern pikeminnow, redbelly darter, and mountain whitefish. Warmwater species are also present including: yellow perch, pumpkinseed sunfish, and largemouth bass. The smallmouth bass population has also been increasing in recent years. Both IDFG and WDFW manage the upper Spokane River (from Post Falls HED to Upriver Dam) as a wild trout fishery with no supplemental stocking and have identified the self-sustaining rainbow trout population in this reach as a priority for protection.

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2.5.1.3.1. *Priority Habitats*

The NW planning area does include priority habitats and species, including the Spokane River, the associated riparian area, and the resident fish residing in the river. The City should either request a custom PHS listing from WDFW Headquarters in Olympia see <http://wdfw.wa.gov/hab/phspage.htm> or use the Spokane County species list.

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3.2.1.3. *Aesthetics.*

This section states, "According to the existing Spokane County Shorelines Program, residential development must be set back no less than 50 feet back from the ordinary high water mark." This statement is not entirely accurate. This 50 foot setback applies only to lots platted prior to 1974. A single family residence in this case, may have a setback of a minimum of 50 feet. However, any new application to design and plat and subdivide for a residential development will require a minimum setback of 200 feet from the delineated ordinary high water line. Refer to the SMP section below for additional information.

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8. REGULATIONS FOR RESIDENTIAL DEVELOPMENT

Residential development includes any building for residential purposes including single-family, multifamily, "cluster" development or "planned unit" development, mobile home parks, and any subdivision of the land for sale or lease (as defined in the Spokane County Subdivision Ordinance or applicable State regulations). These regulations shall apply to residential development to include the prevention of erosion, protection of visual quality, development of associated uses, and maintenance of water quality. The construction by an owner, lessee, or contract purchaser of a single-family residence for his own use or for the use of this family, which does not exceed a height of 35 feet above average grade level, is exempt from the permit provisions of the Shoreline Management Act. Single-family residences on individual lots, while themselves exempted from the requirements of a substantial development permit, shall conform to the policies and regulations of this Program.

8.1 The Natural Area, The Pastoral Area, The Conservancy Area

8.1.1 Residential development shall not be permitted, except:

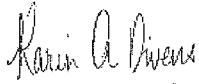
- a) Construction on wetlands by an owner, lessee, or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of 35 feet above average grade level and which meets all requirements of the State agency or local government having jurisdiction.
- b) A residential development subdivision may be permitted provided that the portion of the subdivision within the shoreline area shall be dedicated to its existing state or to recreational purposes consistent with the other applicable regulations and policies of the management area.

8.1.2 Residential structures in subdivisions shall not be permitted within the shoreline area.

8.1.3 Residential structures shall be set back at least 50 feet from the ordinary high-water mark.

Thank you for considering these comments as you revise the DEIS into its final form. WDFW encourages the City to strengthen the analysis of environmental impacts on fish and wildlife habitat and other critical areas and is happy to provide technical support to this effort. Please contact me for further information at (509) 892-1001 extension 323.

Sincerely,



Karin Divens
PHS/GMA Biologist

Kad

Cc: Mark Wachtel, RHPM, email
Jennifer Hayes, PHS/GMA Coordinator, email
John Pederson, Spokane County Planning, email
Bruce Hunt, Spokane County Planning, email
Dee Caputo, CTED, email
Doug Pineo, Washington Department of Ecology, email
Todd Mielke, Spokane County Commissioner
Mark Richard, Spokane County Commissioner
Phillip D. Harris, Spokane County Commissioner

969356

Response to Karin Divens, PHS/GMA Biologist, WA Department of Fish and Wildlife:

- 1) Staff members from the City of Liberty Lake contacted Ms. Divens on several separate occasions by phone and e-mail with questions and concerns, and at no time were we given the information she provides in her comment letter, paragraph one. The information used was provided to Spokane County by the WFWS, and this information is presumed to be accurate and complete.
- 2) A map showing wetland streams, lakes, rivers, marshes, and DNR Streams is on page 2-23 of the DEIS with UGA study boundary areas shown in red. This map is also available in the DEIS Appendix D, Maps.
- 3) The DEIS included options within the current UGA; this would be Alternative 1, No Action. It is stated throughout the DEIS that the No Action alternative would require adjusting existing densities to accommodate anticipated population growth.

The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented. Detailed analysis and implementation of mitigation measures will take place upon application of specific projects so appropriate actions can be taken at that time.
- 4) The DEIS does not attempt an environmental review of all transportation alternatives and mitigating measures. Such detailed analysis may be considered as part of the annual updates of the City and County 6-Year Transportation Improvement Plans, as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time.
- 5) Not a comment on the adequacy of the DEIS, but rather advice on criteria for focusing urban growth in certain areas.
- 6) Not a comment on the adequacy of the DEIS, but rather an expression of concern for various issues.
- 7) The DEIS identifies these springs and streams under existing conditions. The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented. Detailed analysis and implementation of mitigation measures will take place upon application of specific projects so appropriate actions can be taken at that time.
- 8) The DEIS does not advocate for any alternative or combination of alternatives examined.
- 9) The DEIS does not attempt an environmental review of all transportation alternatives and mitigating measures. Such detailed analysis may be considered as part of the annual updates of the City and County 6-Year Transportation Improvement Plans, as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time.
- 10) The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented. The County's policy on consideration of Rural Conservation Zone inclusion in a UGA is also covered on pages 2-5 and 2-7: "The Spokane County Board of Commissioners recently passed a resolution regarding adoption of screening and evaluation criteria for the Spokane County Comprehensive Plan Update which states that land currently zoned Rural Conservation should be excluded from inclusion in the UGA."
- 11) The City attempted to maintain consistency in wording throughout the document, and many of the alternatives had similar impacts, therefore similar wording. The DEIS broadly examines the impacts of a range of strategies for accommodating projected growth. This is a Non-project DEIS, and the concerns of the writer cannot be addressed until and if specific project applications are received. Further environmental review will occur at that time.
- 12) Not a comment on the adequacy of the DEIS, but rather an expression of concern for various issues and a preference for a particular planning outcome.

- 13) The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented. Detailed analysis and implementation of mitigation measures will take place upon application of specific projects so appropriate actions can be taken at that time.
- 14) Section 2.4 Water Resources. Make the following correction on page 2-24 of the DEIS, Land Use: Replace "There are no priority habitats or species in the planning area" with "The stretch of the Spokane River in the NW planning area has been designated Urban Natural Open Space. Urban Natural Open Space is defined as "A priority species resides within or is adjacent to the open space and uses it for breeding and/or regular feeding; and/or the open space functions as a corridor connecting other *priority habitats*, especially those that would otherwise be isolated; and/or the open space is an isolated remnant of natural habitat larger than 4 ha (10 acres) and is surrounded by urban development. Local considerations may be given to open space areas smaller than 4 ha (10 acres)." (Definition provided on <http://wdfw.wa.gov/hab/phshabs.htm>)".

Section 2.5.1.1.6. Riparian Areas. Add to text: "The stretch of the Spokane River in the NW planning area has been designated Urban Natural Open Space. Urban Natural Open Space is defined as "A priority species resides within or is adjacent to the open space and uses it for breeding and/or regular feeding; and/or the open space functions as a corridor connecting other *priority habitats*, especially those that would otherwise be isolated; and/or the open space is an isolated remnant of natural habitat larger than 4 ha (10 acres) and is surrounded by urban development. Local considerations may be given to open space areas smaller than 4 ha (10 acres)." (Definition provided on <http://wdfw.wa.gov/hab/phshabs.htm>)".

Section 2.5.1.3.1. Priority Habitats. Make the following correction on page 2-36 of the DEIS: Replace "There are no priority habitats or species in the NW planning area" with "The stretch of the Spokane River in the NW planning area has been designated Urban Natural Open Space. Urban Natural Open Space is defined as "A priority species resides within or is adjacent to the open space and uses it for breeding and/or regular feeding; and/or the open space functions as a corridor connecting other *priority habitats*, especially those that would otherwise be isolated; and/or the open space is an isolated remnant of natural habitat larger than 4 ha (10 acres) and is surrounded by urban development. Local considerations may be given to open space areas smaller than 4 ha (10 acres)." (Definition provided on <http://wdfw.wa.gov/hab/phshabs.htm>)".

- 15) The DEIS broadly examines the impacts of a range of strategies for accommodating projected growth. This is a Non-project DEIS, and the concerns of the writer will be addressed when and if specific project applications are received. Further environmental review will occur at that time.
- 16) Type 1 DNR streams require a 250' buffer; Spokane County Shorelines Program requires that residential development must be set back no less than 50 feet back from the ordinary high water mark. Because the Spokane River is considered a Type 1 DNR stream in the planning area, the 250' buffer would apply as it is the more restrictive of the two.